

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12-mc-00115 (JSR)

In re:

MADOFF SECURITIES

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying memorandum of law and all prior pleadings and proceedings herein, the parties in the following actions will move before the Honorable Jed S. Rakoff, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on October 30, 2012 at 4:00pm for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(c) and 11 U.S.C. § 546(e): (a) in the case of alleged “initial transferees,” dismissing the avoidance claims asserted against them under 11 U.S.C. §§ 544, 547 and 548, with the sole exception of claims asserted under § 548(a)(1)(A); and (b) in the case of alleged “subsequent transferees,” dismissing all avoidance claims against them to the extent those claims are based on initial transfers that are not subject to avoidance:

Action	Moving Parties
<i>Picard v. Beacon Associates LLC I et al.</i> , 12 Civ. 2310	All Defendants
<i>Picard v. Thybo Asset Management et al.</i> , 11 Civ. 7576	All Defendants
<i>Picard v. Blumenfeld et al.</i> , 12 Civ. 2405	All Defendants
<i>Picard v. Kingate Euro Fund et al.</i> , 12 Civ. 2441, 11 Civ. 7134	Kingate Euro Fund Ltd., Kingate Global Fund Ltd., Carlo Grosso, Federico Ceretti, Kingate Management Limited
<i>Picard v. Alpha Prime Fund, et. al.</i> , 11 Civ. 6541	Herald Fund SPC
<i>Picard v. Alpha Prime Fund Ltd., et al.</i> , 11 Civ. 6677	Alpha Prime Fund Ltd., Senator Fund SPC
<i>Picard v. Alpha Prime Limited, et al.</i> , 12 Civ. 3401, Adv. Pro. No. 09-01364	Hermes International Fund Limited, Thema International Fund plc, Thema Fund Limited, Lagoon Investment Limited (for itself and as Trustee of the Lagoon Investment Trust), Thema Wise Investments Limited, Geo Currencies Ltd. S.A., Alberto Benbassat, Stephane Benbassat, Dr. Alain B. Lévy, solely in his capacity as Executor of the Estate of Mario Benbassat, Roberto Nespolo, David Smith, Equus Asset Management Limited, Equus Asset Management Partners, L.P., Genevalor, Benbassat & Cie, Cape Investment Advisors Limited, Hermes Asset Management Limited, Thema Asset Management (Bermuda) Limited, Thema Asset Management Limited, Aurelia Fund Management Ltd., Aurelia Asset Management Partners, Laurent Mathysen-Gerst, Wladimir Stepcynski, Jean-Marc Wenger, Pascal Cattaneo, Oliver Ador
<i>Picard v. Kohn, et al.</i> , 12 Civ. 2660	Franco Mugnai
<i>Picard v. Square One Fund Ltd., et al.</i> , 10 Civ. 4330	Square One Fund Ltd., Luc D. Estenne, Square Asset Management Ltd., Partners Advisers S.A., Circle Partners, Kathryn R. Siggins

<i>Picard v. Cardinal Management, Inc., et al.</i> , 12 Civ. 2981	All Defendants
<i>Picard v. Frank J. Avellino, et al.</i> , 11 Civ. 3882	Frank Avellino, Nancy Carroll Avellino, Thomas Avellino, Aster Associates, Strattham Partners, Ascent, Inc., Kenn Jordan Associates, Frank J. Avellino Revocable Trust Number One As Amended and Restated January 26, 1990, Frank J. Avellino Retained Annuity Trust U/A Dated June 24, 1992, Frank J. Avellino Grantor Annuity Trust Agreement Number 2 U/A Dated June 24, 1992, Frank J. Avellino Revocable Trust Number One Under Declaration of Trust Number One Dated June 10, 1988, Frank J. Avellino, Trustee of Frank J. Avellino Revocable Trust Number 1 As Amended and Restated January 26, 1990, Frank J. Avellino, Trustee of Frank J. Avellino Grantor Retained Annuity Trust Under Agreement Dated June 24, 1992, Frank J. Avellino, Trustee of Frank J. Avellino Revocable Trust Number One Under Declaration of Trust Number One Dated June 10, 1988, Frank J. Avellino, Trustee of Heather Carroll Lowles Trust U/A Dated June 29, 1990, Frank J. Avellino, Trustee of Tiffany Joy Lowles Trust U/A Dated June 29, 1990, Frank J. Avellino, Trustee of Melanie Ann Lowles Trust U/A Dated June 29, 1990, Frank J. Avellino, Trustee of Taylor Ashley McEvoy Trust U/A Dated June 24, 1992, Frank J. Avellino, Trustee of Madison Alyssa McEvoy Trust U/A Dated June 29, 1990, Frank J. Avellino, Trustee of Noble Avellino Grantor Retained Annuity Trust, Frank J. Avellino, Trustee of Sterling Avellino Grantor Retained Annuity Trust, Frank J. Avellino, Trustee of Avellino Family Trust, Frank J. Avellino, Trustee of Avellino& Bienes Pension Plan and Trust, Nancy Carroll Avellino, Trustee of Nancy Carroll Avellino Revocable Trust Under Trust Agreement Dated May 18, 1992, Nancy Carroll Avellino, Trustee of the Rachel Anne Rosenthal Trust U/A Dated June 29, 1990, Nancy Carroll Avellino, Trustee of the Rachel Rosenthal Trust #3, Nancy Carroll Avellino,

	Trustee of the Rachel Rosenthal Trust #2 U/A Dated June 24, 1992, Nancy Carroll Avellino, Trustee of Heather Carroll Lowles Trust U/A Dated June 29, 1990, Nancy Carroll Avellino, Trustee of Tiffany Joy Lowles Trust U/A Dated June 29, 1990, Nancy Carroll Avellino, Trustee of Melanie Ann Lowles Trust U/A Dated June 29, 1990, Nancy Carroll Avellino, Trustee of Taylor Ashley McEvoy Trust U/A Dated June 24, 1992, Nancy Carroll Avellino, Trustee of Madison Alyssa McEvoy Trust U/A Dated June 29, 1990, Nancy Carroll Avellino Recovable Trust Under Trust Agreement Dated May 18, 1992, 27 Cliff, LLC, The Avellino Family Foundation, Inc., Avellino Family Trust, Avellino & Bienes, Avellino & Bienes Pension Plan & Trust, Grosvenor Partners, Ltd., Mayfair Ventures, GP, Mayfair Bookkeeping Services, Inc., Lorraine McEvoy, Rachel Liersch (a/k/a Rachel Rosenthal), The Rachel Anne Rosenthal Trust U/A Dated June 29, 1990, The Rachel Rosenthal Trust #2 U/A Dated June 24, 1992, The Rachel Rosenthal Trust #3, Frank Avellino, Trustee of N.A. Grantor Retained Annuity Trust, Frank Avellino, Trustee of S.A. Grantor Retained Annuity Trust, Frank Avellino, Trustee of St. A. Grantor Retained Annuity Trust, Melanie Lowles Flowers, Melanie Ann Lowles Trust U/A Dated June 29, 1990, Heather C. Lowles, Heather Carroll Lowles Trust U/A Dated June 29, 1990, Taylor McEvoy, Taylor Ashley McEvoy Trust U/A Dated June 24, 1992, Tiffany J. Lowles, Tiffany Joy Lowles Trust U/A Dated June 29, 1990, Madison A. McEvoy, Madison Alyssa McEvoy Trust U/A Dated June 29, 1990
<i>Picard v. Legacy Capital Ltd., et al.</i> , 11 Civ. 7764	Legacy Capital Ltd., Montpellier Resources Ltd., Khronos LLC, Khronos Capital Research, LLC, Rafael Mayer, David Mayer, Isaac Jimmy Mayer
<i>Picard v. Plaza Inv. Int'l.</i> , 12 Civ. 2646	All Defendants

<p><i>Picard v. American Securities Management, L.P., formerly known as American Securities, L.P., et al.</i>, 11 Civ. 8018</p>	<p>David P. Steinmann, Catherine L. Steinmann, Gabriel B. Steinmann, Joshua Steinmann, Jennifer E. Steinmann, David P. Steinmann IRA Rollover #1 & #2, David Steinmann Defined Benefit Plan, David P. Steinmann Money Purchase Pension Plan, JJG Enterprises, 1185 Park Avenue Foundation, Inc., PJ Administrator LLC, Neil B. Goldstein, Joyce W. Goldstein, Neil B. Goldstein IRA Rollover, Joyce W. Goldstein IRA, Laurence Ach, Darmel Management, L.L.C., South Lake, L.L.C., Elizabeth R. Varet, individually, Elizabeth R. Varet as custodian for Joseph R. Varet, Elizabeth R. Varet as custodian and/or trustee of the Elizabeth R. Varet Money Purchase Pension Plan, Elizabeth R. Varet as grantor of the 2004 V Trust, Elizabeth R. Varet as trustee and beneficiary of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, Elizabeth R. Varet as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, Elizabeth R. Varet as settlor of the Michael A. Varet Trust UAD 11/9/94, Elizabeth R. Varet as settlor of the Trust 11/9/94 (A. Anagnos et al. trustees), Elizabeth R. Varet as trustee of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, Elizabeth R. Varet as trustee of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, Elizabeth R. Varet as trustee and beneficiary of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, Elizabeth R. Varet as trustee of Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald, Elizabeth R. Varet as trustee of Issue Trust 5 UAD 9/28/51 FBO Alice Rosenwald, Elizabeth R. Varet as trustee of the Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, Elizabeth R. Varet as trustee of the Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, Elizabeth R. Varet as trustee of Issue Trust 5 UAD 9/28/51 FBO David R. Varet, Elizabeth R. Varet as beneficiary and trustee of Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet, Elizabeth R. Varet as trustee of Issue Trust 5 UAD 9/28/51 FBO Joseph R. Varet, Elizabeth R. Varet as trustee and beneficiary of Issue</p>
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	<p>Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, Elizabeth R. Varet as trustee of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, Elizabeth R. Varet as trustee of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald, Elizabeth R. Varet as trustee of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman, Elizabeth R. Varet as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman, Stuart H. Coleman as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, Stuart H. Coleman as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, Stuart H. Coleman as trustee of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, Stuart H. Coleman as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, Stuart H. Coleman as trustee of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO Alice Rosenwald, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO David R. Varet, Stuart H. Coleman as trustee of Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet, Stuart H. Coleman as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, Stuart H. Coleman as trustee of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, Stuart H. Coleman as trustee of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald, Ellen V. Greenspan, as trustee of the Trust 11/9/94 (A. Anagnos et al., trustees), James R. Ledley, as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, James R. Ledley as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman, Alice Rosenwald, a/k/a Alice R. Sigelman, individually, Alice Rosenwald, a/k/a Alice R. Sigelman, as custodian for Jonathan Sigelman, Alice Rosenwald, a/k/a Alice R. Sigelman, as custodian for Benjamin R.</p>
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	<p> Sigelman, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee and beneficiary of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee and beneficiary of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO David R. Varet, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO Sarah R. Varet, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, Alice Rosenwald, a/k/a Alice R. Sigelman, as trustee of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald, Alice Rosenwald, a/k/a Alice R. Sigelman, as Executrix of the Estate of Jesse L. Sigelman, Nina Rosenwald individually, Nina Rosenwald as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, Nina Rosenwald as trustee of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, Nina Rosenwald as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, Nina Rosenwald as trustee of Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, Nina Rosenwald as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, Nina Rosenwald as trustee of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, Nina Rosenwald as trustee of Issue Trust 5 UAD </p>
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	<p>9/28/51 FBO Alice Rosenwald, Nina Rosenwald as trustee and beneficiary of the Apollo Trust 2/10/69 FBO Nina Rosenwald, Nina Rosenwald as trustee and beneficiary of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, Nina Rosenwald as trustee and beneficiary of Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald, Nina Rosenwald as trustee and beneficiary of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald, Benjamin R. Sigelman individually, Benjamin R. Sigelman as beneficiary of Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, Benjamin R. Sigelman as beneficiary of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman, Jonathan R. Sigelman individually, Jonathan R. Sigelman as beneficiary of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, Jonathan R. Sigelman as beneficiary of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman, Ronald J. Stein as trustee of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman, Ronald J. Stein as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman, David R. Varet, Joseph R. Varet individually, Joseph R. Varet as beneficiary and as trustee of the Issue Trust 5 UAD 9/28/51 FBO Joseph R. Varet, Michael A. Varet individually, Michael A. Varet as beneficial owner of one or more IRAs, Michael A. Varet as custodian for David R. Varet and Sara R. Varet, Michael A. Varet as trustee of the Michael A. Varet Trust UAD 11/9/94, Sarah R. Varet individually, Sarah R. Varet as trustee and as beneficiary of Issue Trust 5 UAD 9/28/51 FBO Sarah R. Varet, Elizabeth R. Varet IRA Rollover, Michael A. Varet IRA Rollover , Michael A. Varet IRA Rollover #2, Elizabeth R. Varet Defined Benefit Plan & Trust, Elizabeth R. Varet Money Purchase Pension Plan, Decimal Investments, L.L.C., Hudson Charitable Fund, P&I Partners, JJG Foundation, Inc., The Abstraction Fund, American Philanthropic Foundation, Anchorage Charitable Fund, Metropolitan Philanthropic Fund, Inc., Alice Rosenwald Fund, William Rosenwald Family Fund, Inc.,</p>
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	American Securities Management, L.P., f/k/a American Securities, L.P., American Securities Opportunity Fund, L.P., American Securities Holdings Corp., American Securities Group, L.L.C., Alexander G. Anagnos, as trustee of the 2004 V Trust and as trustee of Trust 11/9/94 (A. Anagnos et al, trustees), Belinda Clarke, as trustee for the Concorde 1987 Trust DTD 12/9/87, Peter Pearman, as trustee for the Concorde 1987 Trust DTD 12/9/87, The Estate of Jesse L. Sigelman
<i>Picard v. Fairfield Sentry Limited, et al.</i> , 12 Civ. 2619	Chester Global Strategy Fund Limited, Chester Global Strategy Fund, LP, Irongate Global Strategy Fund Limited, Fairfield Greenwich Fund (Luxembourg), Fairfield Investment Fund Limited, Fairfield Investors (Euro) Ltd., Stable Fund LP
<i>Picard v. Fairfield Sentry Ltd. et al.</i> , 12 Civ. 2638	Fairfield Greenwich Limited, Fairfield Greenwich (Bermuda) Limited, Fairfield Greenwich Advisors LLC, Fairfield Heathcliff Capital LLC, Fairfield International Managers, Inc., Fairfield Greenwich (UK) Limited, Mark McKeefry, Daniel Lipton, Gordon McKenzie, Richard Landsberger, Philip Toub, Charles Murphy, Andrew Smith, Harold Greisman, Lourdes Barreneche, Santiago Reyes, Jacqueline Harary, Chester Management Cayman Limited, Corina Noel Piedrahita, Amit Vijayvergiya, Cornelis Boele, Gregory Bowes, Jeffrey Tucker, Robert Blum, Andres Piedrahita, Walter Noel
<i>Picard v. Defender Limited, et al.</i> , 12 Civ. 2800	Defender Limited, Reliance Management (BVI) Limited, Reliance Management (Gibraltar) Limited, Tim Brockmann
<i>Picard v. UBS AG, et al.</i> , 12 Civ. 2802	Reliance Management (BVI) Limited and Reliance Management (Gibraltar) Limited
<i>Picard v. Leon Flax, et al.</i> , 12 Civ. 2928	R&H Trust Co (Jersey) Limited, in its capacity as former Trustee of The Tower Trust

<i>Picard v. Mendelow, et al.</i> , 11 Civ. 7680	Steven B. Mendelow, Nancy Mendelow, Cara Mendelow, Pamela Christian, C&P Associates, Ltd., C&P Associates, Inc.
<i>Picard v. Mark Chais et al.</i> , 12 Civ. 2371	All Defendants
<i>Picard v. Stanley Chais et al.</i> , 12 Civ. 2658	All Defendants
<i>Picard v. Merkin, et al.</i> , Adv. Pro. No. 09-01182	All Defendants
<i>Picard v. Cohmad Securities Corporation et al.</i> , 12 Civ. 2368, 12 Civ. 2369, and 12 Civ. 2676	Cyril Jalon, the Estate of Elena Jalon, the Joint Tenancy of Phyllis Guenzberger and Fabian Guenzberger, the Joint Tenancy of Robert Pinchou and Fabian Guenzberger, Alvin J. Delaire, Carol Delaire, the Estate of Stanley Mervin Berman, Joyce Berman, S&J Partnership, Cohmad Securities Corporation, Maurice J. Cohn, Marcia B. Cohn, Milton S. Cohn, Marilyn Cohn, Rosalie Buccellato
<i>Picard v. Natixis, Natixis Corporate & Investment Bank (F/K/A Ixis Corporate & Investment Bank), Natixis Financial Products, Inc., Bloom Asset Holdings Fund, and Tensyr Limited</i> , 11 Civ. 9501	All Defendants
<i>Picard v. MAXAM Absolute Return Fund, L.P., et al.</i> , 11 Civ. 7428	MAXAM Absolute Return Fund, Ltd., MAXAM Capital Management, LLC, MAXAM Capital GP LLC, Sandra L. Manzke Revocable Trust, Sandra L. Manzke, Suzanne Hammond, Walker Manzke, April Bukofser Manzke, MAXAM Absolute Return Fund, L.P.
<i>Picard v. Alpha Prime Fund Limited et al.</i> , 11 Civ. 6524	Primeo Fund
<i>Picard v. Vizcaya Partners Limited et al.</i> , 12 Civ. 2588	Bank J. Safra (Gibraltar) Limited
<i>Picard v. Cohmad Securities Corporation, etc., and Morton Kurzrok</i> , 12 Civ. 2589, Adv. Pro. No. 09-1305	Morton Kurzrok, Linda Schoenheimer McCurdy

<i>Picard v. SNS Bank N.V. and SNS Global Custody B.V.</i> , No. 12 Civ. 2509	SNS Bank N.V., SNS Global Custody B.V.
<i>Picard v. BSI AG, individually and as successor-in-interest to Banco del Gottardo</i> , 12 Civ. 3177	BSI AG, on its own behalf and on behalf of Banco Del Gottardo
<i>Picard v. Korea Exchange Bank and Korea Investment Trust Mgt. Co.</i> , 12 Civ. 2880	Korea Exchange Bank
<i>Picard v. National Bank of Kuwait S.A.K.</i> , 12 Civ. 2881	National Bank of Kuwait S.A.K.
<i>Picard v. Book, et al.</i> , 12 Civ. 2482	Robert H. Book, R.H. Book, LLC
<i>Picard v. Merrill Lynch International</i> , 12 Civ. 3486	All Defendants
<i>Picard v. Merill Lynch Bank (Suisse) SA</i> , 12 Civ. 3487	All Defendants
<i>Picard v. Fullerton Capital PTE Ltd.</i> , 12 Civ. 3488	All Defendants
<i>Picard v. Abu Dhabi Investment Authority</i> , 12 Civ. 2616	Abu Dhabi Investment Authority
<i>Picard v. Multi-Strategy Fund Ltd. et al.</i> , 12 Civ. 4840	Multi-Strategy Fund Limited, CDP Capital Tactical Alternative Investments
<i>Picard v. Banque Privée Espirito Santo S.A., f/k/a Compagnie Bancaire Espirito Santo S.A., et al.</i> , Adv. Pro No. 11-02571	Banque Privée Espirito Santo S.A., f/k/a Compagnie Bancaire Espirito Santo S.A.
<i>Picard v. Grosvenor Investment Management Limited, et al.</i> , 12 Civ. 2351	All Defendants
<i>Picard v. Lion Global Investors Limited</i> , 12 Civ. 2349	Lion Global Investors Limited

<i>Picard v. Orbita Capital Return Strategy Limited</i> , 12 Civ. 2934	Orbita Capital Return Strategy Limited
<i>Picard v. Cohmad Securities Corporation, et al.</i> , 12 Civ. 2347	Richard Spring, The Spring Family Trust, The Jeanne T. Spring Trust
<i>Picard v. Safra National Bank of New York</i> , 12 Civ. 2584	Safra National Bank of New York
<i>Picard v. Banque J. Safra (Suisse) SA f/k/a Banque Jacob Safra (Suisse) SA</i> , 12 Civ. 2587	Banque J. Safra (Suisse) SA
<i>Picard v. Standard Chartered Financial Services (Luxembourg) S.A., f/k/a American Express Financial Services (Luxembourg) S.A. and f/k/a/ American Express Bank (Luxembourg) S.A., as represented by its liquidator Hanspeter Krämer, Standard Chartered Bank International (Americas) Ltd., f/k/a/ American Express Bank International, and Standard Chartered International (USA) Ltd., f/k/a American Express Bank Ltd.</i>	Standard Chartered Bank International (Americas) Ltd., Standard Chartered International (USA) Ltd.
<i>Picard v. Sonja Kohn, et al.</i> , 12 Civ. 2639	Sonja Kohn, Erwin Kohn, Netty Blau, Nicole Herzog, Michel Kohn, Robert Alain Kohn, Rachel Kohn, Moshe and Rina Hartstein, Mordechai Landau, Yvonne Landau, Erko, Inc., Eurovaleur, Inc., Infovaleur, Inc., Windsor IBC, Inc., Herald Asset Management Ltd., Tecno Development & Research Ltd., Shlomo (Momy) Amselem, 20:20 Medici AG f/k/a Bank Medici AG, Medici Cayman Islands Ltd., MediciFinanz Consulting GmbH, Medici S.r.l., Herald Consult Ltd.
<i>Picard v. HSBC Bank Plc, et al.</i> , 12 Civ. 2640	Attorneys for Sonja Kohn, Erwin Kohn, 20:20 Medici AG, Eurovaleur, Inc., Herald Asset Management Ltd.
<i>Picard v. Maccabee</i> , 10 Civ. 5407	All Defendants

<i>Picard v. Leon Flax, et al.</i> , 12 Civ. 2928	Eastside Investment Limited, Investec Trust (Switzerland) S.A. (f/k/a Radcliffes Trustee Company S.A.), as Trustee of The Tower Trust, Turret Corporation (f/k/a Woodstock Corporation (f/k/a Lehigh Corporation))
<i>Picard v. FGLS Equity LLC</i> , 12 Civ. 208	FGLS Equity LLC

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's May 16, 2012 Order, answering papers, if any, must be filed on or before September 28, 2012 and served upon the counsel listed below.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's May 16, 2012 Order, reply papers, if any, must be filed on or before October 19, 2012.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's May 16, 2012 Order, notwithstanding Fed. R. Civ. P. 12(g)(2) or Fed. R. Bankr. P. 7012, this motion is without prejudice to any other defense or right of any nature available to movants (including, without limitation, all defenses based on lack of personal jurisdiction or insufficient service of process) and shall not be deemed or construed to prevent movants from making a motion under Fed. R. Civ. P. 12 or Fed. R. Bankr. P. 7012 subsequent to this motion.

Dated: New York, New York
July 27, 2012

**CLEARY GOTTlieb STEEN &
HAMILTON LLP**

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Estenne, Square Asset Management Ltd., and
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Thema Fun Limited, Thema Wise Investments
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